



## **Frequently Asked Questions – Public Comment and Remote Access Hearing**

**Application for Expansion, known as Stage VI, of the NCES Landfill, Bethlehem, NH**

**Solid Waste Permit No. DES-SW-SP-03-002**

### **Introduction**

This frequently asked questions (FAQ) document is intended to supplement the [Notice of Public Hearing](#). Please review the public notice *first*, as many questions such as when the public hearing will occur, how to register for remote access to the hearing, and where to submit written comments are provided in the notice. This FAQ document includes additional details on joining the public hearing remotely, which is encouraged to safeguard public health and safety.

### **FREQUENTLY ASKED QUESTIONS**

- 1. Do I have to go to the location in Bethlehem or can I participate in the hearing from home? Will my level of access to NHDES officials be different?**

To safeguard public health and safety, NHDES is conducting the public hearing remotely. Individuals are encouraged to participate in the hearing from a location of their choosing, such as their home. Hearing officials, including the Hearing Officer and the Permit Engineer, will also be participating remotely. For those who do not have remote access, that is, reliable internet, NHDES is providing a remote access location in the host community of Bethlehem, NH. Those attending the hearing at the gathering point in Bethlehem will have the same level of access to NHDES hearing officials as those participating from any other location with a properly equipped, functioning and connected computer or smartphone.

- 2. Does oral testimony at the public hearing carry more weight than written comments, or vice versa?**

All comments, whether received orally during the public hearing or in writing, carry equal weight. While not required, NHDES encourages those who provide oral testimony to also provide their testimony in writing. See the public notice for instructions on how to submit written testimony.

- 3. What is a “remote access” hearing and how will it work?**

NHDES will be hosting the public hearing using the web conferencing software GoToWebinar®. Participants will either log in or dial in to the hearing, similar to other video conferences. As with all public hearings, oral testimony will be recorded. NHDES will not use video feeds for the

public hearing except to show NHDES officials or information provided by NHDES or the applicant.

The hearing format and procedures will be similar to those of an in-person public hearing, with adjustments to accommodate the virtual meeting software.

The Hearing Officer will control the flow of the meeting, and a Hearing Facilitator will assist the Hearing Officer by running the conferencing software to allow one individual at a time to provide oral testimony. Depending on the number of attendees, each participant will be granted 3 minutes to speak. After each participant has spoken at least once, the Hearing Officer may grant additional time, in 3 minute intervals, to those wishing to provide additional oral testimony.

Note that NHDES staff will be available during the public hearing to provide limited technical assistance on how to use the conferencing software. NHDES staff will not be able to assist with issues related to your internet or phone service provider or improperly equipped devices, such as old computers or obsolete operating systems.

#### **4. How do I participate in the August 25, 2020, public hearing?**

Please see the public notice for details on participating in the public hearing, including a link to register for remote access.

After registering for remote access to the public hearing, participants will receive a confirmation email. In the email, two possible methods of joining the hearing will be provided – clicking a link or dialing a phone number. Note that you are not required to download GoToWebinar® to your computer for you to participate. **Attendees that join by only calling the phone number will be able to listen, but will not be able to provide oral testimony.**

To ensure that the hearing is conducted smoothly for everyone's benefit, NHDES is requesting that participants assist us by doing the following:

**Pre-register as far in advance as possible.** While not required, advance registration is recommended. Click on the [registration link](#). This will help us determine the potential number of attendees and estimate the number of those wishing to provide oral testimony. Please note that you can always change your mind about whether or not you want to provide oral testimony.

**Plan your method of joining the hearing.** After registering, you will receive a registration confirmation email with a link that you can use to join the hearing. You can join the hearing by clicking that link using a computer or an iOS, Android or Windows Phone device. The registration confirmation email will also provide the option of attending in listen-only mode by calling a phone number. Please note that, in order to be able to provide oral testimony, you

will need to join the hearing by clicking the link using a computer or an iOS, Android or Windows Phone device. **Attendees that join by only calling the phone number will be able to listen, but will not be able to provide oral testimony.**

**Join the hearing 10-15 minutes early.** Whether you register in advance or not, NHDES strongly recommends joining the hearing 10-15 minutes early. NHDES' intent is to start the hearing promptly at 6:00 p.m. There could potentially be hundreds of hearing attendees. To avoid disruptions for the other hearing attendees, please plan to join prior to 6:00 p.m.

Additional information on how to join a GoToWebinar® meeting is available at: "[How to Join a GoToWebinar Session](#)." GoToWebinar functions best using the internet browsers Chrome or Firefox, and will not work using Internet Explorer. To test your connection prior to the hearing, join a test session by following the [instructions](#). (Note that you will **not** be required to join a live session during the test.)

**5. What if I don't want to register for remote access to the public hearing?**

To participate in the public hearing without registering, you will need to participate from the gathering point in Bethlehem, NH. See the public notice for further details.

**6. What is required to participate in the hearing from the gathering point in Bethlehem, NH?**

If you elect to attend the public hearing by NHDES-provided telecommunications at the gathering point in Bethlehem, NH, you will be required to wear a mask and observe social distancing recommendations. Prior to entering the meeting space, NHDES staff will request that you answer the following health screening questions:

1. Have you had close contact with someone suspected or confirmed to have COVID-19 in the past 14 days?
2. Have you had any of the following COVID-19 symptoms in the last 72 hours:
  - a. Fever or feeling feverish;
  - b. Respiratory symptoms such as runny nose, nasal congestion, sore throat, cough, or shortness of breath;
  - c. General body symptoms such as muscle aches, chills, severe fatigue;
  - d. Gastrointestinal symptoms such as nausea, vomiting, or diarrhea; and
  - e. Changes in sense of taste or smell?
3. In the past 14 days, have you traveled OUTSIDE of New Hampshire, Vermont, Maine, Massachusetts, Connecticut or Rhode Island, regardless of the mode of transportation?

If you answer “yes” to any of the above questions, NHDES will request that you attend the hearing remotely, not from the gathering point, and/or that you submit your comments in writing. You may register for remote access by following the instructions in the notice of public hearing as supplemented by the additional information provided in this FAQ. You may submit written comments by following the instructions in the notice of public hearing.

The hearing access at the gathering point in Bethlehem, NH will be similar to attendance from any remote location. That is, NHDES will project the hearing proceedings onto a screen so that in-person attendees can observe the hearing proceedings. Further, NHDES will provide telecommunication equipment to allow in-person attendees to deliver oral testimony. For those people planning to participate from the gathering point in Bethlehem, registration is not required.

## **7. When will NHDES make a decision on the application?**

Without an extension, NHDES has 30 days after close of the public hearing record to issue a decision. The public hearing record is scheduled to close September 8, 2020, at 4:00 p.m.; therefore, NHDES has until October 8, 2020 to issue a decision.

## **8. How do I request to be notified of the decision?**

If you provide written testimony or register to attend the hearing remotely, NHDES will notify you of the decision using the contact information you provide.

If you do not wish to provide testimony but would still like to be notified of the decision, please send an email to [swpublic.comment@des.nh.gov](mailto:swpublic.comment@des.nh.gov) or call (603) 271-2925 with your contact information.

## **9. What if I do not agree with NHDES’ decision on the application?**

Any person aggrieved by NHDES’ decision can file an appeal with the NH Waste Management Council (Council). Any such appeal must be filed directly with the Council in accordance with the Council’s rules, Env-WMC 204, *Appeals: Filing; Notice; Parties and Representatives; Scheduling; Motions*. The appeal must be filed **directly with the Council within 30 days** of the date of the decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council. Information about the Council, including a link to the [Council’s rules](#).